



LOUISBURG PLANNING COMMISSION MEETING MINUTES WEDNESDAY JULY 27, 2016

The Planning Commission of the City of Louisburg, Kansas met at 6:30 p.m. in the City Hall Council Chambers with Chairperson Andy Sauber presiding.

ATTENDANCE:

Commission Members: Nate Apple, Brandon Fosbinder, Rick Phillips, Thorvald McKiernan, Gus Straughen and Anne Smith (Arrived 6:32 p.m.)
Mayor: Marty Southard
City Council: David Cannon
Recording Secretary: Rusty Whitham
Visitors: David Boyce

ITEM 1: ROLL CALL

ITEM 2: ADOPTION OF THE AGENDA:

A motion was made by Nate Apple to adopt the agenda as submitted. The motion was seconded by Thorvald McKiernan. Motion passed 7-0.

ITEM 3: APPROVAL OF THE MINUTES:

A motion was made by Thorvald McKiernan to approve the minutes from the June 28, 2016 and July 13, 2016 (Special Call Meeting) meetings. The motion was seconded by Nate Apple and passed 6-0. Gus Straughen abstained.

ITEM 4: PUBLIC COMMENTS: Persons who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only.

None

PUBLIC HEARING BUSINESS ITEMS:

Item 5: 16003-SUP (Special Use Permit) Operation of a Bus Barn, Maintenance Garage and Outdoor Storage at 7420 K-68 Highway.

Chairperson Andy Sauber asked Staff if there is any additional information that wasn't included in the packets that the Planning Commission needs to be aware of. Staff replied no and added that Catherine Blair, the owner of the property located at 7420 K-68 Highway is out of town and

won't be in attendance at tonight's meeting. Staff will present the results of this meeting to Catherine Blair upon her return. If Mrs. Blair concurs with the stipulations of this Special Use Permit, it will be forwarded to the City Council for final discussion. If she objects to the stipulations, this Special Use Permit request shall be returned to the Planning Commission for further discussion.

Chairperson Andy Sauber opened this item up to public comment. No public comment occurred. Chairperson Sauber then closed the public portion of this discussion.

Chairperson then solicited comment from the Planning Commission. Thorvald McKiernan stated that the stipulations presented in the packets are the same as the one discussed during last month's meeting. No objects to the proposed stipulations were made.

A motion was made by Thorvald McKiernan to approve the a Special Use Permit allowing the outdoor storage of automobiles, boats, trucks, recreational vehicles and equipment. This Special Use permit shall also allow for the operation of a school bus barn and vehicle maintenance garage at 7420 K-68 Highway. This Special Use Permit is conditional upon the following stipulations:

1. *No Hazardous Materials (HAZMAT) shall be stored on the property.*
2. *Exterior lighting shall not be directed to the sky or towards neighboring properties.*
3. *All signage shall be in accordance with Zoning Regulations. All signs shall have a permit.*
4. *Noise shall be kept at a minimum so that it doesn't disturb neighbors.*
5. *Permits shall be required for all future construction and all contractors shall be licensed with Miami County.*
6. *The property will be kept clean, free of weeds and vegetation, trash, garbage, and any pools of standing water which harbor insects and rodents.*
7. *The property will not be used to store any junked, abandoned, or non-operational vehicles or equipment.*
8. *Shipping containers shall not be used for storage.*
9. *Existing trees and shrubs located on the west side of the driveway provide sufficient concealment of stored items. Owner shall be responsible for the consistent screening of this portion of the property. Owner shall be required to replace trees and shrubs on the west side of that driveway that become damaged or die. All outdoor storage shall be limited to the west side of the driveway behind the trees and shrubs.*
10. *The above ground diesel storage tank shall meet requirements outlined by the EPA and KDHE.*
11. *No Item greater than 20' in height shall be stored outdoors.*

The motion was seconded by Brandon Fosbinder and passed 7-0. This Special Use permit shall supersede City Ordinance 761, dated February 5, 2001. This Special Use Permit and Planning Commission recommendations shall be forwarded to the City Council for final discussion on August 15, 2016.

NON-PUBLIC HEARING BUSINESS ITEMS:

Item 6: **A discussion with Dave Boyce from Boyce Custom Homes to increase the maximum allowable width of a driveway. The current maximum width is 27 feet.**

Dave Boyce (Boyce Custom Homes) explained that he is building a lot of single family homes with three car garages in the Summerfield Subdivision. Boyce added that homeowner's want a full length driveways that are wide enough to accommodate three car garages. He is requesting that the City increase the allowable width of a driveway from 27' to 30'. Reference Article 7 Off-Street Parking and Loading Regulations, Section 702.B of the City Zoning Regulations:

“Residential Districts. One space may be provided in the front yard in all residential districts. Each required space shall have unobstructed access to the street. The maximum width of the driveway shall be twenty-seven (27) feet.”

Boyce mentioned that other municipalities he builds in allow driveways that are 30' wide plus the wings. Nate Apple asked where else do you build. Boyce replied Olathe, Leawood, Shawnee, and Lenexa. Apple asked if the extra three feet will make a difference. Boyce replied yes. Most people now-a-days own larger vehicles and limiting the driveway size to 27' at the easement causes the builder to swoop the driveway. Most homeowners don't like the swooped driveways because it forces them to make multiple turns to utilize their three car garage. Homeowner's want the straight driveways with their three car garages. A 30' wide driveway allows the builder to construct a product that the customers want. Apple mentioned that he sees lots of swooped driveways. Boyce replied the reason why you see so many swooped driveways is because they save the builder roughly \$200. Boyce added that most homeowners say that they love his newly constructed homes because he pours straight full length straight driveways that accommodate three car garages.

Thorvald McKiernan asked Boyce what size of lot do you typically build on. Boyce replied approximately 70'. None of the lots that Boyce plans to build on are irregular shaped.

Chairperson Andy Sauder asked if the Planning Commission increases the allowable width of driveways to 30' how will that affect pie shaped lots such as ones located culs-de-sacs. Pie Shaped lots have limited street frontage. He is concerned that front yards with limited street frontage may be completely paved with a concrete driveway this will leave no room for grass. Gus Straughen also had the same concern.

Anne Smith mentioned that the driveway wings are unappealing. She prefers straight driveways.

Most Planning Commission members were open to allowing 30' wide driveways. However, it was the consensus that additional discussion is needed. The Planning Commission directed Staff to do additional research.

Item 7: **OLD BUSINESS:** Any old business the Commission may wish to discuss
None

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Item 8: NEW BUSINESS:
None

REPORTS:

Item 9: A discussion concerning changes to Kansas Statute effecting Election Signage. Refinance KSA 25-2711, Placement of political signs during election period.

Staff presented the Planning Commission with a copy of a recently passed Kansas Statute that effects the placement of political signs. This Statute contradicts the restrictions placed within the City Zoning Regulations.

KSA 25-2711. Placement of political signs during election period.

No city or county shall regulate or prohibit the placement of or the number of political signs on private property or the unpaved right-of-way for city streets or county roads on private property during the 45-day period prior to any election and the two-day period following any such election. Cities and counties may regulate the size and a set-back distance for the placement of signs so as not to impede sight lines or sight distance for safety reasons."

All agreed that the City Zoning Regulations need to be revised with Text Amendment to reflect the above mentioned Kansas Statute. This item will be formally discussed at a future Planning Commission meeting.

ITEM 10: ADJOURNMENT:

A motion was made by Nate Apple to adjourn the meeting. Second was made by Thorvald McKiernan. The motion passed 7-0. Meeting adjourned at 7:12 p.m.

Submitted by Rusty Whitham